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NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney's Docket No.:

10176p00070US



In Re Application Of: Frank Becker et al

Serial Number: 09/837,499 Filed: 4/18/01

For: METHOD AND APPARATUS FOR PRODUCING A  
RESPIRATORY FILTER

Group Art Unit: 1732 Examiner: Edmund Lee

Mail Stop Appeal Brief-Patents  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Examiner dated June 3, 2004, rejecting claims 1-14.

The item(s) checked below are appropriate.

1.  Applicant claims small entity status. (See 37 CFR 1.27.)  
 A Statement Claiming Small Entity Status is enclosed.
2.  Appeal fee (37 CFR 1.17(b))  
 Large Entity - \$340.00       Small Entity - \$165.00
3.  A petition and fee for an extension of time for reply to the rejection is enclosed.  
 Large Entity  
 \$110.00       \$430.00       \$950.00       \$1,480.00  
 Small Entity  
 \$55.00       \$210.00       \$475.00       \$740.00
4.  A check for the amount of \$770.00 is enclosed.
5.  Please charge the fee(s) to Deposit Account Number 23-0785. A duplicate copy of this sheet is attached.
6.  Please charge any additional fee(s), or credit any overpayment, to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

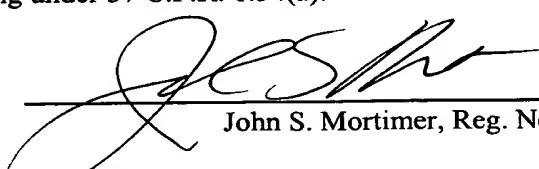
I am:

- applicant.
- assignee of record of the entire interest.
- attorney or agent of record
- attorney or agent acting under 37 C.F.R. 1.34(a).

11/09/2004 HVDONG1 00000041 09837499

02 FO:1401

340.00 OP


 John S. Mortimer, Reg. No. 30,407

WOOD, PHILLIPS, KATZ, CLARK &amp; MORTIMER

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Chicago, Illinois 60661-2511

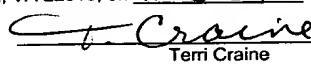
312/876-1800

November 3, 2004

37 CFR 1.8

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313, on 11-3-04


 Terri Craine